

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

SONNY DAVIS,)	
)	
Plaintiff,)	
)	
v.)	No. 2:21-cv-00388-JPH-MJD
)	
FRANK VANIHEL,)	
)	
Defendant.)	

ORDER DISMISSING DUPLICATIVE LAWSUIT

Sonny Davis is an inmate at Wabash Valley Correctional Facility. Mr. Davis claims that his long-term placement in segregation amounts to cruel and unusual punishment. In support of this claim, the complaint alleges that inmates housed in long-term segregation are deprived of socialization, access to adequate hygiene products, access to television, and access to adequate nutrition. He also claims that prison officials have failed to provide him with meaningful and periodic reviews of his placement in segregation. Mr. Davis is seeking compensatory and punitive damages and injunctive relief.

This lawsuit is duplicative of the allegations in one of Mr. Davis' other pending lawsuits, *Davis v. Snyder, et al.*, Case No. 2:20-cv-381-JRS-DLP. *See Serlin v. Arthur Andersen & Co.*, 3 F.3d 221, 223 (7th Cir. 1993) ("District courts are accorded 'a great deal of latitude and discretion' in determining whether one action is duplicative of another, but generally, a suit is duplicative if the 'claims, parties, and available relief do not significantly differ between the two actions.'").

The complaint in Case No. 2:20-cv-381, like the complaint in this case, alleges that Mr. Davis has received inadequate food and hygiene products and has been subjected to prolonged isolation while in long-term administrative segregation at Wabash Valley Correctional Facility. Also like this case, the complaint in the older case alleges that prison officials have failed to


conduct meaningful and periodic reviews of Mr. Davis' placement in segregation. In both cases, Mr. Davis is seeking compensatory and punitive damages and injunctive relief. The only material difference between the two complaints is that, in this action, Mr. Davis has named Frank Vanihel, the current warden of Wabash Valley Correctional Facility, as a defendant.

This action is **DISMISSED without prejudice**. There is no reason for duplicative lawsuits, which drain scarce judicial resources. *See Rizzo v. City of Wheaton, Ill.*, 462 F. App'x 609, 613, (7th Cir. 2011) ("District courts have ample discretion to dismiss duplicative litigation."); *Trippe Mfg. Co. v. Am. Power Conversion Corp.*, 46 F.3d 624, 629 (7th Cir. 1995) ("Federal district courts have the inherent power to administer their dockets so as to conserve scarce judicial resources."). Mr. Davis' allegations about the effects of long-term placement in segregation, and the failure of prison officials to conduct meaningful and periodic reviews of that placement, must be addressed in the older lawsuit, Case No. 2:20-cv-381-JRS-DLP. If Mr. Davis would like to add Warden Vanihel as a defendant in the older lawsuit, he may seek leave in that action to amend the complaint.

Final judgment in accordance with this Order shall now issue.

SO ORDERED.

Date: 1/10/2022


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

SONNY DAVIS

128888

WABASH VALLEY - CF

WABASH VALLEY CORRECTIONAL FACILITY - Inmate Mail/Parcels

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